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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,700	06/25/2003	Makoto Tanaka	1-438	8406
23400 7590 03/22/2007 POSZ LAW GROUP, PLC 12040 SOUTH LAKES DRIVE SUITE 101 RESTON, VA 20191			EXAMINER SHORTLEDGE, THOMAS E	
			ART UNIT 2626	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/602,700

Applicant(s)

TANAKA, MAKOTO

Examiner

Thomas E. Shortledge

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

1. Claims 1-8 are pending.

***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Sawada (5,754,430).

As to claim 1, Sawada teaches a voice control system that includes a voice inputting unit for inputting a speech uttered by a user through a voice input manipulation and a controlling unit for recognizing (*inputting voice through a voice input device*

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*including a microphone, the voice used to control a car navigation system, col. 5, lines 8-13 and col. 6, lines 42-50), as a certain speech content of a plurality of speech contents, the inputted speech and thereby executing a function according to the certain speech content, the voice control system (the inputted speech used to control navigation functions, col. 5, lines 8-13) comprising;*

a display unit (image display device, Fig. 1, elements 9);

a display-controlling unit for displaying, when the user utters the speech, an auxiliary switch that executes an auxiliary function for the voice input manipulation (a set of keys that when a voice input is supplied, the keys are used to execute an auxiliary function, after the destination is inputted through voice, the road guide key is pressed to execute the guide function, col. 7, lines 60-67, where the display can be a display screen is a touch panel, with the keys on the display, col. 8, line 64, through col. 9, line 5);

an executing unit for executing, when the auxiliary switch is selected, the auxiliary function (executing the function selected by the input key, such as the guide function, col. 7, lines 60-67).

As to claim 3, Sawada teaches wherein the auxiliary switch includes a guide switch that executes displaying guidance for the voice input manipulation; and wherein the executing unit executes, when the guide switch is selected, displaying the guidance on the display unit (after inputting the voice, a guide key is inputted, and a guide function is carried out on the display, col. 7, lines 60-67, and col. 8, lines 1-7).

As to claim 4, Sawada teaches the auxiliary switch includes a stop switch that executes stopping of the voice input manipulation (a key is depressed allowing the user to input a destination, stopping the voice input, col. 7, lines 50-67).

As to claim 5, Sawada teaches wherein the controlling unit notifies, to the user, a content of the subsequent function that is to be subsequently executed and requires the user to determine whether the content of the subsequent function can be allowed to be executed, and wherein the display-controlling unit displays, on the display unit, a determination switch that executes determining whether the content of the subsequent function can be allowed to be executed (the unit notifies the user when a function entered by the user can not be carried out, and a new input needs to be supplied to the system, col. 12, lines 48-65).

As to claim 6, Sawada teaches wherein the controlling unit notifies, to the user, the content of the subsequent function through instructing the display-controlling unit to display the content of the subsequent function on the display unit (when a recognized input is received the display is instructed to output the corresponding display, col. 7, lines 20-30).

As to claim 7, Sawada teaches wherein the display unit includes a screen and a detecting unit for detecting, on the screen, an area that the user touches, and wherein,

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when the user touches a predetermined area corresponding to the auxiliary switch that is displayed on the screen of the display unit, the executing unit determines that the auxiliary switch is selected (keys are displayed to the user, allowing the user to supply an auxiliary input through a touch display, once a speech input is recognized, col. 7, lines 55-65 and col. 8, lines 65-67).

As to claim 8, Sawada teaches a voice control system that includes a display, voice inputting means for inputting a speech uttered by a user, and controlling means for recognizing, as a speech content, the inputted speech and thereby executing a function according to the speech content (*inputting voice through a voice input device including a microphone, the voice used to control a car navigation system, col. 5, lines 8-13 and col. 6, lines 42-50, and the inputted speech used to control navigation functions, col. 5, lines 8-13*), the method comprising steps:

displaying, when the users utters the speech, an auxiliary switch that executes an auxiliary function for voice input manipulation (a set of keys that when a voice input is supplied, the keys are used to execute an auxiliary function, after the destination is inputted through voice, the road guide key is pressed to execute the guide function, col. 7, lines 60-67, where the display can be a display screen is a touch panel, with the keys on the display, col. 8, line 64, through col. 9, line 5);

executing, when the auxiliary switch is selected, the auxiliary function (executing the function selected by the input key, such as the guide function, col. 7, lines 60-67).

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E. Shortledge whose telephone number is (571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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**RICHEMOND DORVIL**  
**SUPERVISORY PATENT EXAMINER**